

LAWRENCE A. MICHAELS (SBN 107260), lam@msk.com  
VERONICA VON GRABOW (SBN 259859), vtv@msk.com  
MITCHELL SILBERBERG & KNUPP LLP  
11377 West Olympic Boulevard  
Los Angeles, California 90064-1683  
Telephone: (310) 312-2000  
Facsimile: (310) 312-3100

LINDA MILLER SAVITT (SBN 094164)  
BALLARD, ROSENBERG, GOLPER & SAVITT LLP  
500 North Brand Boulevard, Twentieth Floor  
Glendale, California 91203-9946  
Telephone: (818) 508-3700  
Facsimile: (818) 506-4827

CAROL A. HUMISTON (SBN 115592)  
SENIOR ASSISTANT CITY ATTORNEY – CITY OF BURBANK  
275 East Olive Avenue  
Burbank, California 91510  
Telephone: (818) 238-5707  
Facsimile: (818) 238-5724

Attorneys for Defendant and Cross-Complainant CITY OF BURBANK, including the  
POLICE DEPARTMENT OF THE CITY OF BURBANK (erroneously sued as an  
independent entity named “BURBANK POLICE DEPARTMENT”)

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

OMAR RODRIGUEZ; CINDY GUILLEN-  
GOMEZ; STEVE KARAGIOSIAN; ELFEGO  
RODRIGUEZ; AND JAMAL CHILDS,

Plaintiffs,

v.

BURBANK POLICE DEPARTMENT; CITY  
OF BURBANK; AND DOES 1 THROUGH  
100, INCLUSIVE,

Defendants.

BURBANK POLICE DEPARTMENT; CITY  
OF BURBANK,

Cross-Complainants,

v.

OMAR RODRIGUEZ, an Individual;

Cross-Defendant.

Case No. BC 414602

Judge: The Honorable Joanne O'Donnell  
Location: 37

STIPULATION FOR PROTECTIVE ORDER  
RE: CONFIDENTIAL INFORMATION  
PRODUCED BY DEFENDANT BURBANK  
TO PLAINTIFF STEVE KARAGIOSIAN  
FOLLOWING IN CAMERA REVIEW;  
[PROPOSED] REFEREE  
RECOMMENDATION; [PROPOSED]  
ORDER

File Date: May 28, 2009  
Trial Date: April 13, 2011 (Plff. Guillen);  
June 8, 2011 (Plff. Karagiosian);  
July 27, 2011 (Plff. O. Rodriguez)

Discovery Referee: Hon. Diane Wayne, Ret.

1 IT IS HEREBY ORDERED AS FOLLOWS:

2 1. This Protective Order applies to and governs the use and disclosure of the  
3 following Confidential Information which the Court ordered Defendant City of Burbank<sup>1</sup>  
4 (“Burbank” or “Defendant”) to disclose to Plaintiff Steve Karagiosian (“Karagiosian” or  
5 “Plaintiff”):

6 a. Memorandum from Irma Rodriguez Moisa to Police Chief Tim Stehr and  
7 Chief Assistant City Attorney Juli Scott, dated May 20, 2008.

8 b. Investigative report prepared for City of Burbank and submitted by Sergio  
9 Bent, Esq., dated January 27, 2009.

10 c. Audio recordings of Sergio Bent’s interviews with Steve Karagiosian, dated  
11 August 11, 2008, August 26, 2008, and November 25, 2008.

12 2. The term “Confidential Information” shall mean and include the documents listed  
13 in Paragraphs 1(a) through (c) above, any and all portions thereof, and all documents of whatever  
14 kind containing information set forth in or obtained from these documents. Burbank shall mark  
15 any documents produced that constitute or contain Confidential Information with a label  
16 designating them as “Confidential: Subject to Protective Order.”

17 3. The term “Action” shall mean *Rodriguez et al. v. Burbank Police Department et*  
18 *al.*, Los Angeles Superior Court Case No. BC 414602.

19 4. The term “Plaintiff” shall mean Steve Karagiosian, a plaintiff in this Action.

20 5. The term “Co-Plaintiffs” shall mean, collectively, Omar Rodriguez, Cindy Guillen-  
21 Gomez, Elfego Rodriguez, and Jamal Childs, co-plaintiffs in this Action.

22 6. Plaintiff’s counsel of record in this Action shall use the Confidential Information  
23 solely for the purposes of Plaintiff’s litigation in this Action, and shall not disclose any portion of  
24 the Confidential Information to any other person, firm or corporation except:

25 a. Bona fide employees of counsel’s law offices, and then only to the extent  
26 necessary to enable said persons to assist in Plaintiff’s litigation of this Action;

27  
28 <sup>1</sup> Including the Police Department of the City of Burbank (erroneously sued as an independent  
entity named “Burbank Police Department”).



- 1                   b. Plaintiff, to the extent necessary for the prosecution of Plaintiff's claims in this  
2                   Action;
- 3                   c. Bona fide expert witnesses employed by Plaintiff in this Action, to the extent  
4                   necessary to render an expert opinion in connection with Plaintiff's claims in  
5                   this Action;
- 6                   d. Court reporters, to the extent necessary to take or transcribe testimony in  
7                   connection with Plaintiff's claims in this Action; and
- 8                   e. The Court, to the extent necessary for a motion or other matter pending before  
9                   the Court in connection with Plaintiff's claims in this Action.

10           7.       Plaintiff's counsel of record in this Action alone will retain the Confidential  
11 Information and at no time may a copy of any Confidential Information be made for or provided to  
12 the persons described in Paragraphs 6(a) and (b) above. Copies of Confidential Information may  
13 be made for and provided to Plaintiff's designated experts in this Action, Oliver "Lee" Drummond  
14 and R. William Mathis, Ph.D., pursuant to Paragraph 6(c) above, provided Mr. Drummond and  
15 Dr. Mathis sign the Protective Order and agree to be bound by its terms. Copies of Confidential  
16 Information provided to court reporters and/or the Court pursuant to Paragraphs 6(d) or (e) above  
17 shall be governed by and handled in accordance with Paragraph 9 below. At no time and under no  
18 circumstances may Confidential Information be disclosed or provided to any person not listed in  
19 Paragraph 6 above, or to any Co-Plaintiffs or any other party to litigation with the City (other than  
20 Plaintiff) or his/her agents or representatives, even if they fall within the categories delineated in  
21 Paragraph 6 above (such as if a party to another lawsuit becomes employed at Plaintiff's counsel's  
22 office or is a purported expert for Plaintiff).

23           8.       All persons described in Paragraphs 6(a) through (e) above shall not disclose any  
24 portion of the Confidential Information and shall not use any information obtained therefrom  
25 except in conformance with this Protective Order and for purposes of Plaintiff's litigation in this  
26 Action. Any party who discloses Confidential Information to any person described in Paragraphs  
27 6(a) through (d) shall advise such person that said matters constitute Confidential Information  
28 which may be used only for the litigation of this Action, and shall, prior to disclosure of the

1 Confidential Information, have such person execute a written Understanding and Agreement to be  
2 bound by this Stipulation for Protective Order in the form attached hereto as Exhibit 1.

3 9. Any deposition testimony that encompasses or concerns Confidential Information  
4 shall be transcribed in a separate booklet that is marked on its cover "Confidential: Do Not  
5 Disclose Except By Court Order." Any document that contains Confidential Information that is  
6 marked as an exhibit at a deposition shall be bound in the separate booklet marked "Confidential:  
7 Do Not Disclose Except By Court Order." Deposition transcripts containing Confidential  
8 Information and bearing this marking shall not be disclosed except as provided in Paragraph 6  
9 above. In addition, any documents containing Confidential Information that are submitted to the  
10 Court shall be filed or lodged in a sealed envelope marked "Confidential: Subject to Protective  
11 Order."

12 10. Plaintiff's counsel are directed to retain all copies of documents, notes, or  
13 summaries containing Confidential Information in their custody, possession and control and to  
14 take the necessary precautions to prevent persons not authorized above from obtaining access to  
15 any such Confidential Information.

16 11. Production of the Confidential Information protected by this Protective Order shall  
17 not constitute a waiver of any privilege or confidentiality or privacy right. The parties retain the  
18 right to assert all substantive objections to the Confidential Information, including but not limited  
19 to relevancy, hearsay, privacy, and privilege.

20 12. At the conclusion of this action, all documents containing Confidential  
21 Information, all copies and extracts thereof, with the exception of those documents affected by the  
22 attorney work-product doctrine or attorney-client privilege, shall be returned to counsel for  
23 Burbank. As to those documents protected by the attorney work-product doctrine or attorney-  
24 client privilege, Plaintiff and his counsel agree that any and all such documents shall either be  
25 redacted and returned to Burbank or shall be destroyed.

1 Dated:

LAW OFFICES OF RHEUBAN & GRESEN  
Solomon E. Gresen

2  
3 By: 

Solomon E. Gresen  
Attorneys for Plaintiffs OMAR  
RODRIGUEZ; CINDY GUILLEN-  
GOMEZ; STEVE KARAGIOSIAN;  
ELFEGO RODRIGUEZ; AND JAMAL  
CHILDS

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7 Dated:

MITCHELL SILBERBERG & KNUPP LLP  
Lawrence A. Michaels  
Veronica von Grabow

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10 By: \_\_\_\_\_

Lawrence A. Michaels  
Attorneys for Defendants and  
Cross-Complainant CITY OF BURBANK,  
including the POLICE DEPARTMENT OF  
THE CITY OF BURBANK (erroneously  
sued as an independent entity named  
"BURBANK POLICE DEPARTMENT")

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15 I, Oliver "Lee" Drummond, have read and understand the foregoing Stipulation For  
16 Protective Order Re: Confidential Information Produced By Defendant Following In Camera  
17 Review and agree to be bound by its terms.

18 Dated:

OLIVER "LEE" DRUMMOND

19  
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22 I, R. William Mathis, PH.D., have read and understand the foregoing Stipulation For  
23 Protective Order Re: Confidential Information Produced By Defendant Following In Camera  
24 Review and agree to be bound by its terms.

25 Dated:

R. WILLIAM MATHIS, PH.D.



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DATED: \_\_\_\_\_, 2011                      The Hon. DIANE WAYNE, Retired

By: \_\_\_\_\_

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**EXHIBIT 1**

**UNDERSTANDING AND AGREEMENT PURSUANT  
TO PROTECTIVE ORDER**

I have read the Stipulation for Protective Order in *Rodriguez et al. v. Burbank Police Department et al.*, Los Angeles Superior Court Case No. BC 414602. I understand the Protective Order and agree to be bound by its terms.

Dated: \_\_\_\_\_ (Print Name)

\_\_\_\_\_  
(Signature)